

PROB 12C
(7/93)Report Date: August 30, 2010
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Isidro Morfin

Case Number: 2:08CR00014-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 7/30/2003

Original Offense: Bank Fraud, 18 U.S.C. § 1344

Original Sentence: Prison - 12 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: James A. McDevitt Date Supervision Commenced: 7/24/2008

Defense Attorney: Roger Peven Date Supervision Expires: 10/23/2010

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 15:** Defendant shall participate as instructed by his U.S. Probation Officer in a program approved by the probation officer for treatment of narcotic addiction, drug dependency or substance abuse, which may include testing to determine if the defendant has reverted to the use of drugs or alcohol.

Supporting Evidence: Isidro Morfin is considered in violation of his period of supervised release by using marijuana on or prior to February 3, 2010, and methamphetamine on or prior to July 14, 2010.

- 2 **Special Condition # 15:** Defendant shall participate as instructed by his U.S. Probation Officer in a program approved by the probation officer for treatment of narcotic addiction, drug dependency or substance abuse, which may include testing to determine if the defendant has reverted to the use of drugs or alcohol.

Supporting Evidence: Isidro Morfin is considered in violation of his period of supervised release by failing to report for urinalysis screening on March 9 and 25, 2010; April 15, 2010; June 15 and 23, 2010; and July 15 and 20, 2010.

Prob12C

Re: Morfin, Isidro

August 30, 2010

Page 2

On February 3, 2010, the defendant reported to the probation office in Richland where a urinalysis screening was conducted. The sample returned presumptive positive for the presence of marijuana. The defendant admitted to using marijuana and signed an admission of drug use form.

The defendant was referred to Merit Resource Services in Sunnyside for an assessment for substance abuse issued on February 12, 2010. The defendant began his intensive outpatient treatment on February 22, 2010.

The defendant then failed to report for random drug screening on the dates listed above for the months of March and April. The defendant admitted he was having difficulty with his sobriety; therefore, he was referred to inpatient treatment at James Oldham Treatment Center in Buena. The defendant began his treatment at James Oldham on April 20, 2010, and finished the inpatient portion on May 18, 2010. The defendant was referred for continuing outpatient treatment with Merit Resource Services.

The defendant once again failed to report for random urinalysis screening in June 2010. By July 2010, the defendant was failing to report for support groups and supplied a positive screening for methamphetamine on July 14, 2010. The defendant was removed from outpatient treatment by Merit Resource Services on August 2, 2010, for missing seven treatment sessions, failing to attend support groups, and continuing to engage in the use of controlled substances. The closing report from Merit Resource Services stated, "It is clear that Mr. Morfin fails to follow through with the recommendations from Merit Resource Services. Mr. Morfin's file is being closed at this time for lack of engagement in the treatment process."

3 **Special Condition # 7:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

4 **Supporting Evidence:** Isidro Morfin is considered in violation of his period of supervised release by being terminated from substance abuse treatment on or prior to August 2, 2010.

As noted above, the defendant failed to comply with treatment services at Merit Resource Services and was terminated.

Standard Condition: The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: Isidro Morfin is considered in violation of his period of supervised release by committing the offense of driving with a suspended license in the third degree on or prior to July 13, 2010.

The defendant has been charged in Benton County District Court under case number XY0266466, for driving with a suspended license.

Prob12C

Re: Morfin, Isidro

August 30, 2010

Page 3

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

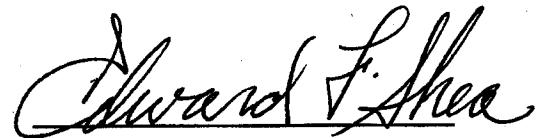
Executed on: 08/30/2010

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer
8/30/10

Date